

**ATTORNEY DOCKET NUMBER: 2002834-0058 (CIP4 DIV1)****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Bannon, et al.

Examiner: Huynh, P.

Serial No.: 09/478,668

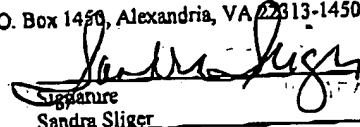
Art Unit: 1644

Filed: January 6, 2000

Title: METHODS AND REAGENTS FOR DECREASING CLINICAL REACTIONS TO ALLERGY

Mail Stop Express Abandonment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

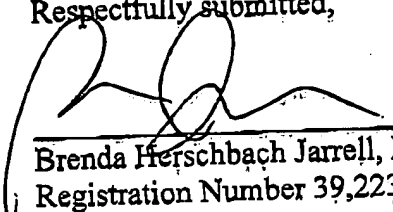
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I certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
January 10, 2006	
Date	Signature Sandra Sliger
Typed or Printed Name of person signing certificate	

**REQUEST FOR EXPRESS ABANDONMENT PURSUANT TO 37 C.F.R. § 1.138(b)**

Applicant hereby expressly abandons the above-referenced application in favor of the Continuation application that is being filed today, January 10, 2006. Please ensure that this application remains pending until the Continuation is received, and then abandon it.

Please charge any fees associated with this express abandonment, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,

  
Brenda Herschbach Jarrell, Ph.D.  
Registration Number 39,223

PATENT DEPARTMENT  
CHOATE, HALL & STEWART, LLP  
Two International Place  
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JAN. 10. 2006 8:15PM

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NO. 056

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**CHOATE**

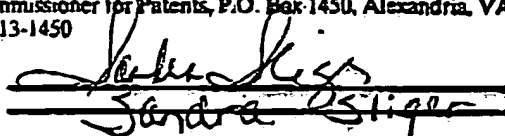
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**Sandra Stiger**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Express Mail No.: EV 782615197 US**

**Attorney Docket No.: 2002834-0258**

**Date Filed: January 10, 2006**

**Customer Number: 24280**

**UTILITY PATENT APPLICATION TRANSMITTAL**

(for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

**Inventor(s):**

<b><u>Given Name (first and middle)</u></b>	<b><u>Family Name or Surname</u></b>	<b><u>Residence (City and State or Foreign Country)</u></b>
<b>Gary A.</b>	<b>Bannon</b>	<b>35 Bear Creek Drive Wentzville, MO 63385</b>
<b>A. Wesley, Jr.</b>	<b>Burks</b>	<b>306 Faison Road Chapel Hill, NC 27517</b>
<b>Gael</b>	<b>Cockrell</b>	<b>31 Jay Circle Cabot, AR 72023</b>
<b>Ricki M.</b>	<b>Helm</b>	<b>3207 Echo Valley Drive Little Rock, AR 72227</b>
<b>Nina E.</b>	<b>King</b>	<b>6250 Mallard Court Mason, OH 04540</b>
<b>Hugh A.</b>	<b>Sampson</b>	<b>19 Carleon Avenue Larchmont, NY 10538</b>
<b>J. Steven</b>	<b>Stanley</b>	<b>2000 Waterside Drive North Little Rock, AR 72116</b>

Express Mail No.: EV 782615197 US  
Attorney Docket: 2002834-0258  
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4030988v1

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**Title of the Invention: METHODS AND REAGENTS FOR DECREASING CLINICAL  
REACTION TO ALLERGY**

**A) APPLICATION ELEMENTS:**

1) ☐ **Fee Transmittal Form** (original and duplicate submitted for fee processing)

2) ☒ **Applicant Claims Small Entity Status** (see 37 C.F.R. § 1.27)

a) ☒ **Statement Verifying Small Entity Status** (See Exhibit A)

3) ☒ **Specification**

TOTAL PAGES: 34

☒ **Descriptive Title of the Invention**

☒ **Cross References to Related Applications** (if applicable)

☐ **Statement Regarding Federally Sponsored R & D** (if applicable)

☒ **Reference to sequence listing, a table, or a computer program listing appendix**

☒ **Background of the Invention**

☒ **Summary of the Invention**

☒ **Description of the Drawing** (if filed)

☒ **Detailed Description of the Invention**

☒ **Claim(s)**

☒ **Abstract of the Invention**

4) ☒ **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: 3

a) ☒ **Formal Drawings** (if checked)

5) ☒ **Oath or Declaration**

a) ☐ **Newly Executed** (original or copy)

b) ☒ **Copy from a prior application** (37 C.F.R. § 1.63(d))-for continuation/divisional application (see Substitute Declaration Exhibit A, Tab 6; and Petition to Correct Inventorship and related ancillary documents (all as Exhibit B))

i) ☐ **Deletion of inventor(s):** Signed Statement deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

c) ☐ **Unexecuted**

Express Mail No.: EV 782615197 US  
Attorney Docket: 2002834-0258  
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4030988v1

- 6) ☐ **Application Data Sheet.** See 37 C.F.R. § 1.76.
- 7) ☐ **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**
- 8) ☒ **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are necessary)
- a) ☒ **Computer Readable Form (CRF)**
- b) ☒ **Specification Sequence Listing on:**
- i) ☐ **CD-ROM or CD-R (2 copies); or**
- ii) ☒ **Paper (20 pages)**
- c) ☒ **Statements verifying identity of above copies (1 pg.)**

**B) ACCOMPANYING APPLICATION PARTS:**

- 9) ☒ **Assignment Papers** (See Exhibit A, Tabs 2, 3 and 5)
- 10) ☒ **37 C.F.R. § 3.73(b) Statement** (when there is an assignee) (See Exhibit A, Tabs 2 and 5)
- 11) ☐ **Power of Attorney**
- 12) ☐ **English Translation Document** (if applicable)
- 13) ☒ **Information Disclosure Statements (IDS) 7 Forms/PTO-1449 (43 pages) and Statement Filed Pursuant to Duty of Disclosure (6 pages)**
- 14) ☒ **Cited Art: 8 References**
- 15) ☒ **Preliminary Amendment (5 pages)**
- 16) ☒ **Return Receipt Postcard (MPEP 503)** (specifically itemized)
- 17) ☐ **Certified Copy of Priority Document(s)** (if foreign priority is claimed)
- 18) ☐ **Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(i)**

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4030988v1

19) ☒ **OTHER:** (if applicable, specified below)

**Exhibit A: Documents as Filed in Parent Application; Serial No. 09/478,668; filed January 6, 2000 (21 pages, including tabs)**

**Exhibit B: Documents to Correct Inventorship in Parent Application; Serial No. 09/478,668; filed January 6, 2000 (51 pages, including tabs)**

**C) FOR CONTINUING APPLICATIONS:** (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

☒ continuation ☐ divisional ☐ continuation-in-part (CIP)

of prior application no.: 09/478,668

filed: January 6, 2000

examiner: Huynh, P.

group/art unit: 1644

**for continuation or divisional applications only:** The entire disclosure of the prior application, from which an oath or declaration is supplied as detailed above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

**D.) PRIORITY CLAIM(S):**

This application claims the benefit under 35 U.S.C. § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below:

<u>Application Serial No.</u>	<u>Filing date</u>	<u>Status (patented, pending, abandoned)</u>
09/106,872	June 29, 1998	Patented (6,486,311)
09/141,220	August 27, 1998	Pending
09/478,668	January 6, 2000	Pending

This application claims the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

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<u>Application Serial No.</u>	<u>Filing date</u>	<u>Status (pending, expired, abandoned)</u>
60,073,283	January 31, 1998	Expired
60/074,590	February 13, 1998	Expired
60/074,624	February 13, 1998	Expired
60/074,633	February 13, 1998	Expired
60/077,763	March 13, 1998	Expired

**E) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:**

☒ Applicant claims small entity status 37 C.F.R. § 1.27.

☐ A check for \_\_\_\_\_ is enclosed to cover the filing fees.

☒ A credit card payment form for \$1,230.00 is enclosed to cover the filing fees.

☒ The commissioner is hereby authorized to charge filing fees or to credit any overpayment to deposit account number 03-1721.

Filing Fee (Small Entity) \$500.00  
(includes Basic Filing Fee, Search Fee, and Examination Fee)

**Additional Fees:**

Total Number of Claims in excess of 20:  $(42 - 20) \times \$25$  \$550.00

Number of Independent Claims in excess of 3:  $(3 - 3) \times \$200$  \$0.00

Multiple Dependent Claims \$360: \$180.00

Total Filing Fee: \$1,230.00

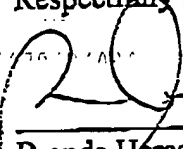
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Customer Number: 24280

4030988v1

**F) CORRESPONDENCE ADDRESS:**☒ Customer Number: **24280**☒ Correspondence Address:

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Respectfully Submitted,

  
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**CHOATE**

CHOATE HALL &amp; STEWART LLP

**Fax**

Recipient	Company	Fax	Phone
Ms. Diane Maggard	Board of Patent Appeals, U.S. Patent and Trademark Office	571-273-0300	

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From	Brenda Herschbach Jarrell, Ph.D.	Number of Pages	8 pages (including cover sheet)
Date	January 10, 2006	Client Number	2002834-0258
Phone	(617) 248-5175	Operator	Time Sent

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